

The House Committee on Education offers the following substitute to SB 68:

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to
2 strengthen provisions relating to the financial management of local school systems; to
3 provide for training for local board of education members and local school superintendents
4 on financial management; to provide for monthly reporting to the local board of education
5 on the financial stability of the local school system; to provide for designation by the
6 Department of Audits and Accounts of high-risk local school systems and moderate-risk
7 local school systems based on annual audits; to provide for financial management provisions
8 in flexibility contracts and system charters; to provide for appointment of the Chief
9 Turnaround Officer by the Governor; to provide for the role of the State School
10 Superintendent in identifying turnaround eligible schools; to repeal a provision relating to
11 grants to assist schools with demonstrated financial need; to provide for annual reporting by
12 the Chief Turnaround Officer; to provide for a pilot program to retain highly effective teacher
13 leaders in turnaround schools; to provide a separate appeals process for certain performance
14 ratings contained in personnel evaluations for teachers who accepted a school year contract
15 for the fourth or subsequent consecutive school year; to provide for the establishment of
16 appeals policies by local units of administration; to provide for appeals hearings to be
17 conducted by independent third parties or system administrators; to require local units of
18 administration to submit copies of their complaint policies to the Department of Education;
19 to provide for related matters; to repeal conflicting laws; and for other purposes.

20 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

21 **PART I**
22 **SECTION 1-1.**

23 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by
24 revising Code Section 20-2-49, relating to standards for local board of education members,
25 as follows:

26 "20-2-49.

27 The General Assembly finds that local boards of education play a critical role in setting the
28 policies that lead to the operation and success of local school systems. School board
29 members hold special roles as trustees of public funds, including local, state, and federal
30 funds, while they focus on the singular objective of ensuring each student in the local
31 school system receives a quality basic education. Board duties require specialized skills
32 and training in the performance of vision setting, policy making, approving multimillion
33 dollar budgets, financial management, and hiring a qualified superintendent. The
34 motivation to serve as a member of a local board of education should be the improvement
35 of schools and academic achievement of all students. Service on a local board of education
36 is important citizen service. Given the specialized nature and unique role of membership
37 on a local board of education, this elected office should be characterized and treated
38 differently from other elected offices where the primary duty is independently to represent
39 constituent views. Local board of education members should abide by a code of conduct
40 and conflict of interest policy modeled for their unique roles and responsibilities. And
41 although there are many measures of the success of a local board of education, one is
42 clearly essential: maintaining accreditation and the opportunities it allows the school
43 system's students."

44 **SECTION 1-2.**

45 Said title is further amended by revising subsection (e) of Code Section 20-2-51, relating to
46 election of local board of education members, persons ineligible to be members or
47 superintendent, ineligibility for local boards of education, and ineligibility for other elective
48 offices, as follows:

49 "(e) In addition to any other requirements provided by law, no person shall be eligible for
50 election as a member of a local board of education unless he or she:

51 (1) Has read and understands the code of ethics and the conflict of interest provisions
52 applicable to members of local boards of education and has agreed to abide by them; and
53 (2) Has agreed to annually disclose compliance with the State Board of Education's
54 policy on training for members of local boards of education, the code of ethics of the
55 local board of education, and the conflict of interest provisions applicable to members of
56 local boards of education; and

57 (3) Has completed all prior annual training requirements established by the local board
58 of education and the State Board of Education pursuant to Code Section 20-2-230 if such
59 person is eligible for reelection as a member of the local board of education.

60 Each person offering his or her candidacy for election as a member of a local board of
61 education shall file an affidavit with the officer before whom such person has qualified for

62 such election prior to or at the time of qualifying, which affidavit shall affirm that he or she
63 meets all of the qualifications required pursuant to this subsection. This subsection shall
64 apply only to local board of education members elected or appointed on or after July 1,
65 2010."

66 **SECTION 1-3.**

67 Said title is further amended by revising Code Section 20-2-58, relating to regular monthly
68 meeting of local boards, adjournment, temporary presiding officer, and notice of date, as
69 follows:

70 "20-2-58.

71 (a) It shall be the duty of each local board of education to hold a regular meeting during
72 each calendar month for the transaction of business pertaining to the public schools and to
73 review the financial status of the local school system. Any such meeting may be adjourned
74 from time to time, and, in the absence of the president or secretary, the members of the
75 local board may appoint one of their own number to serve temporarily. The local board
76 shall annually determine the date of its meeting and shall publish it either in the official
77 county organ or, at the option of the local board of education, in a newspaper having a
78 general circulation in said county at least equal to that of the official county organ for two
79 consecutive weeks following the setting of the date; provided, however, that the date shall
80 not be changed more often than once in 12 months and, if changed, the new date shall also
81 be published as provided in this Code section.

82 (b) The State Board of Education shall create a template for local boards of education to
83 use to review the financial status of their local school systems, which shall include, at a
84 minimum, a statement of revenues, expenditures, and encumbrances."

85 **SECTION 1-4.**

86 Said title is further amended by revising Code Section 20-2-61, relating to fundamental roles
87 of local boards of education and local school superintendents, as follows:

88 "20-2-61.

89 (a) The fundamental role of a local board of education shall be to establish policy for the
90 local school system with the focus on student achievement. The fundamental role of a
91 local school superintendent shall be to implement the policy established by the local board.
92 It shall not be the role of the local board of education or individual members of such board
93 to micromanage the superintendent in executing his or her duties, but it shall be the duty
94 of the local board to hold the local school superintendent accountable in the performance
95 of his or her duties; provided, however, that requesting and reviewing financial data and
96 documents shall not constitute micromanaging. Local board of education members should

97 work together with the entire local board of education and shall not have authority as
98 independent elected officials but shall only be authorized to take official action as members
99 of the board as a whole. Nothing in this subsection shall be construed to alter, limit,
100 expand, or enlarge any powers, duties, or responsibilities of local boards of education, local
101 board members, or local school superintendents.

102 (b) Except as may be allowed by law, no local board of education shall delegate or attempt
103 to delegate its policy-making functions."

104 **SECTION 1-5.**

105 Said title is further amended by revising Code Section 20-2-67, relating to local school
106 system or school subject to corrective action plan for budget deficit, financial operations
107 form, publication, and mailing to Department of Education and local governing body, as
108 follows:

109 "20-2-67.

110 (a) When an audit by the Department of Audits and Accounts finds and reports
111 irregularities or budget deficits in the fund accounting information regarding a local school
112 system or a school within the local school system, the Department of Audits and Accounts
113 shall report the findings of irregularities or budget deficits to the State Board of Education
114 and the local board of education. The Department of Audits and Accounts shall designate
115 local school systems that have had reported irregularities or budget deficits for three or
116 more consecutive years as high-risk local school systems and shall designate local school
117 systems that have had reported irregularities or budget deficits for one year or two
118 consecutive years as moderate-risk local school systems.

119 (b) The State Board of Education shall inform the superintendent of the local school
120 system of the irregularities or budget deficits regarding a local school system's or a school's
121 fund accounting information, including if a local school system has been designated as a
122 high-risk local school system or moderate-risk local school system. The superintendent
123 shall submit to the Department of Education a response to the findings and a corrective
124 action plan approved by the local board of education at a board meeting within 120 days
125 of receiving notice of designation as a high-risk local school system or moderate-risk local
126 school system, as defined by rules and regulations adopted by the State Board of Education
127 designed to correct the financial irregularities or budget deficits for the school or school
128 system. From the time such irregularity or budget deficit is discovered until the time it is
129 eliminated, the local school superintendent shall present to each member of the local board
130 of education for his or her review and written acknowledgment a monthly report containing
131 all anticipated expenditures by budget function for such school or school system during the
132 current month. The report shall be presented to local board members on or before the tenth

133 business day of each month. Each monthly report shall be signed by each member of that
134 local board and recorded and retained in the minutes of the meeting of the local board of
135 education.

136 (c) Not later than September 30 of the year, each local board of education shall cause to
137 be published in the official county organ wherein the local school system is located once
138 a week for two weeks a statement of actual financial operations for such schools or school
139 system identified by the Department of Audits and Accounts as having financial
140 irregularities. Such statement of actual financial operations shall be in a form to be
141 specified and prescribed by the state auditor for the purpose of indicating the current
142 financial status of the schools or school system. Prior to publication, such form shall be
143 executed by the local board of education and signed by each member of said board and the
144 local school superintendent.

145 (d) A copy of the actual financial operations form required to be published by
146 subsection (c) of this Code section shall be mailed by each local board of education to the
147 Department of Education and the local county board of commissioners or local municipal
148 governing authority. A current copy of said form shall be maintained on file in the central
149 administrative office of the local school system for public inspection for a period of at least
150 two years from the date of its publication. Copies of the statement shall be made available
151 on request."

152 SECTION 1-6.

153 Said title is further amended by revising Code Section 20-2-82, relating to contract terms for
154 local school systems requesting flexibility, as follows:

155 "20-2-82.

156 (a) The local board of education and the department shall enter into negotiations on the
157 appropriate terms of the contract, including the accountability, flexibility, and
158 consequences components of the contract in accordance with Code Section 20-2-84, in
159 consultation with the Office of Student Achievement. The accountability, flexibility, and
160 consequences components may vary between schools and clusters.

161 (b) The flexibility requested by a local school system pursuant to subsection (b) of Code
162 Section 20-2-84 shall result in consequences in accordance with subsection (c) of Code
163 Section 20-2-84 and Code Section 20-2-84.1 for noncompliance with the accountability
164 requirements established pursuant to subsection (a) of Code Section 20-2-84.

165 (c) The department, in consultation with the Office of Student Achievement, shall make
166 a recommendation to the state board on whether the proposed terms of the contract should
167 be approved by the state board. Such proposed terms of the contract shall require that a
local school system has not been designated as a high-risk local school system by the

169 Department of Audits and Accounts pursuant to Code Section 20-2-67, or if it has been
170 designated as a high-risk local school system, the contract shall require that the local school
171 system has a written corrective action plan in place and that local school system board
172 members and appropriate personnel participate in required training to address the
173 deficiencies.

174 (d)(1) The state board shall have the authority to approve or deny approval of the
175 proposed terms of the contract but shall give all due consideration to the recommendation
176 and input from the Office of Student Achievement.

177 (2) In the event that the state board denies approval of the proposed terms of the contract,
178 the local board of education shall work with the department, in consultation with the
179 Office of Student Achievement, for further revisions and resubmission to the state board.

180 (e) The state board shall be authorized to approve a waiver or variance request of
181 specifically identified state rules, regulations, policies, and procedures or provisions of this
182 chapter upon the inclusion of such request in the local school system's proposed contract
183 and in accordance with subsection (b) of Code Section 20-2-84. The goal for each waiver
184 and variance shall be improvement of student performance. The state board shall not be
185 authorized to waive or approve variances on any federal, state, and local rules, regulations,
186 court orders, and statutes relating to civil rights; insurance; the protection of the physical
187 health and safety of school students, employees, and visitors; conflicting interest
188 transactions; the prevention of unlawful conduct; any laws relating to unlawful conduct in
189 or near a public school; any reporting requirements pursuant to Code Section 20-2-320 or
190 Chapter 14 of this title; the requirements of Code Section 20-2-210; the requirements of
191 Code Section 20-2-211.1; or the requirements in subsection (c) of Code Section 20-2-327.
192 A local school system that has received a waiver or variance shall remain subject to the
193 provisions of Part 3 of Article 2 of Chapter 14 of this title, the requirement that it shall not
194 charge tuition or fees to its students except as may be authorized for local boards by Code
195 Section 20-2-133, and shall remain open to enrollment in the same manner as before the
196 waiver request."

SECTION 1-7.

198 Said title is further amended by revising Code Section 20-2-83, relating to state board
199 approval of local school board flexibility contract, as follows:

200 "20-2-83.

201 (a) Upon approval of a proposed contract of a local school system which has requested
202 flexibility, the state board shall enter into such contract with the local board of education.

203 (b) The terms of the contract shall include, but not be limited to, accountability, flexibility,
204 and consequences components as negotiated pursuant to subsection (a) of Code Section
205 20-2-82 and in accordance with Code Section 20-2-84.

206 (c) The terms of the contract shall also include specific requirements relating to
207 maintaining or achieving financial stability of the local school system, including ensuring
208 that the local school system has not been designated as a high-risk local school system by
209 the Department of Audits and Accounts pursuant to Code Section 20-2-67, or if it has been
210 designated as a high-risk local school system, that it has a written corrective action plan in
211 place and that local school system board members and appropriate personnel participate
212 in required training to address the deficiencies.

213 (e)(d) Each contract shall be for a term of six years. The terms of the contract may provide
214 for automatic extension of such contract if a local school system has met its accountability
215 requirements.

216 (f)(e) The terms of a contract may be amended during the term of the contract only upon
217 approval of the state board and the local board of education."

218 SECTION 1-8.

219 Said title is further amended by revising Code Section 20-2-84.2, relating to state monitoring,
220 as follows:

221 "20-2-84.2.

222 (a) The Office of Student Achievement shall revise the single state-wide accountability
223 system established pursuant to paragraph (1) of subsection (a) of Code Section 20-14-26
224 for submission to the state board for approval to integrate the requirements of this article,
225 to the greatest extent practicable, including, but not limited to, the loss of governance
226 consequences provided for in Code Section 20-2-84.1.

227 (b) The Office of Student Achievement shall monitor each local school system's progress
228 toward meeting its performance goals in its contract and shall notify the department if a
229 local school system is not in compliance with such performance goals. The department
230 shall provide support and guidance to school systems not meeting their yearly progress
231 goals.

232 (c) The department shall monitor each local school system's financial stability and provide
233 support and guidance to local school systems that are designated as high-risk local school
234 systems or moderate-risk local school systems by the Department of Audits and Accounts
235 pursuant to Code Section 20-2-67 or are at risk of being designated as high-risk local
236 school systems or moderate-risk local school systems."

237

SECTION 1-9.

238 Said title is further amended by revising Code Section 20-2-103, relating to oath of local
239 school superintendent, as follows:

240 "20-2-103.

241 Before entering upon the discharge of his or her official duties, the local school
242 superintendent shall take and subscribe to the following oath of office:

243 STATE OF GEORGIA

244 COUNTY OF _____

245 I, _____, do solemnly swear or affirm that I will truly perform the
246 duties of local school superintendent of the _____ School System
247 to the best of my ability.

248 I do further swear or affirm:

249 (1) That I am not the holder of any unaccounted for public money due this state or any
250 political subdivision or authority thereof and that I will manage the finances of the local
251 school system in compliance with all applicable laws and regulations;

252 (2) That I am not the holder of any office of trust under the government of the United
253 States, any other state, or any foreign state which I am by the laws of the State of Georgia
254 prohibited from holding;

255 (3) That I am otherwise qualified to hold said office according to the Constitution and
256 the laws of Georgia; and

257 (4) That I will support the Constitution of the United States and of this state.

258

Signature of local school superintendent

260

261 Typed name of local school superintendent

262 Sworn and subscribed

263 before me this _____ day

264 of _____, ____.

265 (SEAL)."

266

SECTION 1-10.

267 Said title is further amended by revising Code Section 20-2-109, relating to duties of local
268 school superintendents, as follows:

269 "20-2-109.

270 (a) The local school superintendent shall constitute the medium of communication
271 between the State School Superintendent and subordinate local school officers. The local
272 school superintendent shall be the executive officer of the local board of education; shall
273 be the agent of the local board in procuring such school equipment and materials as it may
274 order; shall ensure that the prescribed textbooks are used by students; shall verify all
275 accounts before an application is made to the local board for an order for payment; and
276 shall keep a record of all official acts, which, together with all the books, papers, and
277 property appertaining to the office, shall be turned over to the successor. It shall be the
278 local school superintendent's duty to enforce all regulations and rules of the State School
279 Superintendent and of the local board according to the laws of the state and the rules and
280 regulations made by the local board that are not in conflict with state laws; and to visit
281 every school within the local school system to become familiar with the studies taught in
282 the schools, observe what advancement is being made by the students, counsel with the
283 faculty, and otherwise aid and assist in the advancement of public education.

284 (b) The local school superintendent shall report monthly to the local board of education
285 the financial status of the local school system in accordance with Code Section 20-2-58.
286 Each local board of education which governs a local school system that has been
287 designated as a high-risk local school system or moderate-risk local school system by the
288 Department of Audits and Accounts pursuant to Code Section 20-2-67 shall require the
289 local school superintendent to complete training on financial management and financial
290 governance of a local school system."

291 SECTION 1-11.

292 Said title is further amended by revising Code Section 20-2-230, relating to staff
293 development programs, as follows:

294 "20-2-230.

295 (a) All public school officials and professional personnel certificated by the Professional
296 Standards Commission shall be provided the opportunity to continue their development
297 throughout their professional careers. The primary purpose of the staff development
298 sponsored or offered by local boards of education and the Department of Education shall
299 be the implementation of this policy. Two additional purposes of such staff development
300 programs shall be to adopt into general practice the findings of scientifically designed
301 research which has been widely replicated, particularly as it relates to teacher and school
302 effectiveness, and to address professional needs and deficiencies identified during the
303 process of objective performance evaluations.

304 (b)(1) The State Board of Education shall adopt a training program for members of local
305 boards of education by July 1, 2011. The State Board of Education may periodically
306 adopt revisions to such training program as it deems necessary.

307 (2) Within three months of adoption by the State Board of Education of a training
308 program pursuant to paragraph (1) of this subsection, each local board of education shall
309 adopt a training program for members of such boards that includes, at a minimum, such
310 training program and requirements established by the State Board of Education pursuant
311 to paragraph (1) of this subsection. Each local board of education shall incorporate any
312 revisions adopted by the State Board of Education to the training program pursuant to
313 paragraph (1) of this subsection within three months of adoption of such revisions.

314 (3) All local boards of education are authorized to pay such board members for
315 attendance at a required training program the same per diem as authorized by local or
316 general law for attendance at regular meetings, as well as reimbursement of actual
317 expenses for travel, lodging, meals, and registration fees for such training, either before
318 or after such board members assume office.

319 (c) The State Board of Education shall require each newly elected member of a local board
320 of education to receive guidance and training regarding his or her own local school
321 system's most recent audit findings and the risk status of the local school system as
322 determined by the Department of Audits and Accounts or the Department of Education.
323 Such training for newly elected board members shall also include training on the role of
324 the local school superintendent with respect to financial management and financial
325 governance of a local school system.

326 (d) The State Board of Education shall require members of local boards of education to
327 complete the training required under this Code section with either the Department of
328 Education or the Department of Audits and Accounts if the local board of education has
329 been designated by the Department of Audits and Accounts as a high-risk local school
330 system pursuant to Code Section 20-2-67 or if the Department of Audits and Accounts has
331 determined that corrective actions have not been implemented or devised to correct serious
332 findings in the local school system's Department of Audits and Accounts audit report from
333 the previous year."

SECTION 1-12.

335 Said title is further amended by revising Code Section 20-2-2063.2, relating to charter
336 systems, as follows:

337 "20-2-2063.2.

338 (a) The state board shall be authorized to enter into a charter with a local board to establish
339 a local school system as a charter system.

340 (b) A local board seeking to create a charter system must submit a petition to the state
341 board. Prior to submitting such petition, the local board shall:

342 (1) Adopt a resolution approving the proposed charter system petition;
343 (2) Conduct at least two public hearings and provide notice of the hearings in the same
344 manner as other legal notices of the local board; and
345 (3) Send a notice to each principal within the local school system of the hearings with
346 instructions that each school shall distribute the notice to faculty and instructional staff
347 members and to the parent or guardian of each student enrolled in the school.

348 The local board may revise its proposed charter system petition, upon resolution, as a result
349 of testimony at the public hearings or for other purposes.

350 (c) Prior to approval or denial of a charter petition for a charter system, the state board
351 shall receive and give all due consideration to the recommendation and input from the
352 Charter Advisory Committee established in Code Section 20-2-2063.1. The state board
353 shall approve the charter if the state board finds, after receiving input from the Charter
354 Advisory Committee, that the petition complies with the rules, regulations, policies, and
355 procedures promulgated pursuant to Code Section 20-2-2063 and the provisions of this
356 title, is in the public interest, and promotes school level governance. A charter for a charter
357 system shall include the interventions, sanctions, and loss of governance consequences
358 contained in Code Section 20-14-41. A charter for a charter system shall require that the
359 local school system has not been designated as a high-risk local school system by the
360 Department of Audits and Accounts pursuant to Code Section 20-2-67, or if it has been
361 designated as a high-risk local school system, the charter shall require that the local school
362 system has a written corrective action plan in place and that local school system board
363 members and appropriate personnel participate in required training to address the
364 deficiencies.

365 (d) All schools within an approved charter system shall be system charter schools except
366 as otherwise provided in subsections (f) and (g) of this Code section.

367 (e)(1) Subject to appropriations by the General Assembly or other available funding, the
368 state board, after receiving input and recommendations from the Charter Advisory
369 Committee, shall disburse planning grants to local school systems which desire to
370 become charter systems. Such grants will be disbursed in accordance with any applicable
371 guidelines, policies, and requirements established by the state board.

372 (2) Subject to specific appropriations by the General Assembly for this purpose, the state
373 board shall disburse implementation grants in the amount of \$125,000.00 or such other
374 amount as determined by the state board to each charter system. The state board shall be
375 authorized to approve up to five petitions for charter systems during fiscal year 2008, and
376 may approve up to a maximum number of petitions in following years as may be

377 established pursuant to board rules and as subject to availability of funding for
378 implementation grants.

379 (f) A system charter school shall not be precluded from petitioning to become a conversion
380 charter school, in accordance with Code Section 20-2-2064, not subject to the terms of the
381 system charter. In the event a system charter school becomes a conversion charter school,
382 the system charter shall be amended to reflect that such school is no longer bound by the
383 system charter.

384 (g) An existing conversion or start-up charter school within a local school system which
385 is petitioning to become a charter system shall have the option of continuing under its own
386 existing charter, not subject to the terms of the system charter, or of terminating its existing
387 charter, upon agreement by the local board and state board, and becoming subject to the
388 system charter as a charter system school."

SECTION 1-13.

390 Said title is further amended by revising subsection (a) of Code Section 20-2-2063.3, relating
391 to code of principles and standards for charter school authorizers, as follows:

392 "(a) The State Board of Education and the State Charter Schools Commission shall jointly
393 establish a code of principles and standards of charter school authorizing to guide local
394 boards of education, the state board, and the State Charter Schools Commission in meeting
395 high-quality authorizing practices. The principles and standards established by the state
396 board and the State Charter Schools Commission shall include:

397 (1) Maintaining high standards for approving charter petitions;
398 (2) Establishing high academic, financial, and operational performance standards for
399 charter schools;

400 (3) Annually monitoring, evaluating, and reporting charter school progress in meeting
401 academic, financial, and operational performance standards, including ensuring that a
402 local school system has not been designated as a high-risk local school system by the
403 Department of Audits and Accounts pursuant to Code Section 20-2-67, or if it has been
404 designated as a high-risk local school system, that it has a written corrective action plan
405 in place and that local school system board members and appropriate personnel
406 participate in required training to address the deficiencies;

407 (4) Upholding charter school autonomy in school governance, instructional program
408 implementation, personnel, and budgeting;

409 (5) Protecting students and holding charter schools accountable for their obligations to
410 all students; and

411 (6) Protecting the public interest and holding charter schools accountable for their
412 obligations of governance, management, and oversight of public funds."

413

PART II

414

SECTION 2-1.

415 Said title is further amended in Code Section 20-2-73, relating to suspension and removal of
416 local school board members upon potential loss of accreditation, by revising paragraph (1)
417 of subsection (a) as follows:

418 "(a)(1) Notwithstanding Code Section 20-2-54.1 or any other provisions of law to the
419 contrary, if:

420 (A) A local school system or school is placed on the level of accreditation immediately
421 preceding loss of accreditation for any reason or reasons by one or more accrediting
422 agencies included in subparagraph (A) of paragraph (6) of Code Section 20-3-519, the
423 local board of education shall notify the State Board of Education in writing within
424 three business days of such placement and the State Board of Education shall conduct
425 a hearing in not less than ten days of such notice nor more than 90 days and recommend
426 to the Governor whether to suspend all eligible members of the local board of education
427 with pay; or

428 (B) One-half or more of the schools in a local school system are turnaround eligible
429 schools, as defined in subsection (a) of Code Section 20-14-45, for the fifth or more
430 consecutive year, the Department of Education shall notify the State Board of
431 Education in writing within three business days of the publication of the list of
432 turnaround eligible schools by the Office of Student Achievement, and the State Board
433 of Education with input from the State School Superintendent shall conduct a hearing
434 in not less than ten days of such notice nor more than 90 days and recommend to the
435 Governor whether to suspend all eligible members of the local board of education with
436 pay; provided, however, that this subparagraph shall be tolled for a local board of
437 education while under a contract amendment or intervention contract pursuant to Code
438 Section 20-14-45 so long as such local board of education is in substantial compliance
439 with the terms of such contract amendment or intervention contract."

440

SECTION 2-2.

441 Said title is further amended by revising subsection (b) of Code Section 20-2-84.2, relating
442 to state monitoring of flexibility contracts, as follows:

443 "(b) The Office of Student Achievement Department of Education shall monitor each local
444 school system's progress toward meeting its performance goals in its contract and shall ~~the~~
445 notify the ~~department~~ State Board of Education if a local school system is not in
446 compliance with such performance goals. The department shall provide support and
447 guidance to school systems not meeting their yearly progress goals."

448

SECTION 2-3.

449 Said title is further amended in Code Section 20-14-41, relating to appropriate levels of
450 intervention for failing schools, master or management team, school improvement team,
451 annual reports, data revision, and hearing, by revising subsection (h) as follows:

452 "(h)(1) The ~~State Board of Education~~ Chief Turnaround Officer shall prepare an annual
453 report detailing the schools that have received an unacceptable rating for one or more
454 consecutive years and the interventions applied to each such school pursuant to this Code
455 section Section 20-14-41.

456 (2) The ~~State Board of Education~~ Chief Turnaround Officer shall provide the annual
457 report no later than December 31 for the previous academic year, to the Governor, the
458 Lieutenant Governor, the Speaker of the House of Representatives, the chairpersons of
459 the House Committee on Education and the Senate Education and Youth Committee, and
460 the Education Turnaround Advisory Committee."

461

SECTION 2-4.

462 Said title is further amended by revising Code Section 20-14-43, relating to the Chief
463 Turnaround Officer, qualifications, and duties, as follows:

464 "20-14-43.

465 (a) There is created the position of Chief Turnaround Officer. The ~~State Board of~~ Education Governor, after consulting with the State School Superintendent and the
466 Education Turnaround Advisory Council and, in his or her discretion, conducting a national
467 search, shall appoint the Chief Turnaround Officer who shall serve at the pleasure of the
468 ~~state board~~ Governor. The Chief Turnaround Officer shall be an employee of the
469 Department of Education ~~but shall report directly to the state board in the school~~
470 improvement division.

472 (b) The Chief Turnaround Officer shall have the following qualifications:

473 (1) Extensive personal experience in turning around low-performing schools, including
474 expertise in turnaround strategies, curriculum, instruction, and teacher and principal
475 effectiveness;

476 (2) Has held the position of at least principal or a higher administrative position in a
477 public school system for a minimum of five years with demonstrated skills in school
478 management, budget, finance, federal and state programs, funding sources, and talent
479 management; and

480 (3) Such additional education, experience, and other qualifications as determined by the
481 Governor, in consultation with the State Board of Education and the State School
482 Superintendent.

483 (c) The duties of the Chief Turnaround Officer shall include, but are not limited to:

484 (1) Managing and overseeing a system of supports and assistance for the
485 lowest-performing schools in this state identified as in the greatest need of assistance;
486 (2) Identifying resources, including the establishment of a resource list of evidence based
487 strategies and integrated student services, and consulting with regional educational
488 service agencies to determine specific expertise and resources available at each such
489 regional educational service agency directly relating to school turnaround;
490 (3) Annually establishing a list of third-party specialists, including auditors and
491 consultants, to assist schools and local school systems in conducting comprehensive
492 on-site evaluations of schools to determine the root causes of low performance and lack
493 of progress, to assist schools and local school systems in the implementation of intensive
494 school improvement plans, or to provide any of the necessary support services as
495 specified in the engagement letter or contract. Such list of third-party specialists shall be
496 established through a request for proposals process and approved by the State Board of
497 Education. Such request for proposals shall be designed with input from the Education
498 Turnaround Advisory Council;
499 (4) Coordinating with the ~~school improvement division within the Department of~~
500 ~~Education and coordinating and working with the State School Superintendent and the~~
501 Office of Student Achievement to identify all state resources and supports available to
502 the lowest-performing schools in the greatest need of assistance;
503 (5) Identifying turnaround coaches pursuant to Code Section 20-14-44 to serve as the
504 assigned state site liaison in the school improvement process;
505 (6) Building school level leadership capabilities, in cooperation with agencies and
506 organizations that have experience and capacity, and providing leadership development
507 opportunities for principals and other school level leaders in turnaround eligible schools
508 selected by the Chief Turnaround Officer; and
509 (7) Identifying best practices for school turnaround, including identifying those practices
510 that are not successful in improving student outcomes, and sharing such information with
511 local school systems and schools in this state.

512 (d) ~~The Chief Turnaround Officer, the State School Superintendent, and the staff and all~~
513 ~~divisions of the Department of Education shall work collaboratively and shall coordinate~~
514 ~~as necessary to facilitate the implementation of this part.~~ The Department of Education
515 shall establish the state plan pursuant to the federal Every Student Succeeds Act in a
516 manner that pursues and allows maximum flexibility to implement the provisions of this
517 part."

518

SECTION 2-5.

519 Said title is further amended by revising Code Section 20-14-44, relating to turnaround
520 coaches and roles, as follows:

521 "20-14-44.

522 (a) The Chief Turnaround Officer, ~~after consulting~~ with the recommendation of the State
523 School Superintendent, shall ~~recommend~~ propose individuals experienced in turning
524 around schools that have similar needs and characteristics as those schools identified
525 pursuant to Code Section 20-14-45, to serve as turnaround coaches, subject to approval by
526 the state board.

527 (b) Turnaround coaches shall assist schools that are identified as ~~in having~~ the greatest
528 need ~~of for~~ assistance pursuant to Code Section 20-14-45 with ongoing assistance and input
529 and shall serve as contract managers to ensure conformance to contract terms. Turnaround
530 coaches shall be assigned to one or more schools which are under a contract amendment
531 or intervention contract pursuant to Code Section 20-14-45.

532 (c) Turnaround coaches may provide such other services and supports as determined by
533 the Chief Turnaround Officer."

534

SECTION 2-6.

535 Said title is further amended by revising Code Section 20-14-45, relating to the definition of
536 turnaround eligible schools, identification, and role of local boards of education, as follows:

537 "20-14-45.

538 (a) As used in this Code section, the term 'turnaround eligible schools' means the schools
539 that have performed in the lowest 5 percent of schools in this state identified in accordance
540 with the state-wide accountability system established in the state plan pursuant to the
541 federal Every Student Succeeds Act.

542 (b) The Chief Turnaround Officer, in conjunction with the ~~Department of Education~~ State
543 School Superintendent and the Office of Student Achievement, shall annually identify the
544 lowest-performing schools that are deemed ~~to be in~~ as having the greatest need ~~of for~~
545 assistance based on a list of turnaround eligible schools prepared annually by the Office of
546 Student Achievement. If the Chief Turnaround Officer, after consulting with ~~Department~~
547 ~~of Education~~ staff and the State School Superintendent, determines that the capacity and
548 resources available to the Chief Turnaround Officer and to the Department of Education
549 are insufficient to serve all schools on the turnaround eligible schools list, the Chief
550 Turnaround Officer may select a subset of such schools based on the following factors:
551 (1) Whether the school's rating has been improving or declining over the previous three
552 years, based on the state-wide accountability system;

553 (2) Whether the contract for strategic waivers school systems or the charter for charter
554 systems adequately addresses the school's deficiencies;

555 (3) Whether the school is in a local school system with a recent accreditation report
556 showing deficiencies in system level governance, school level leadership, system and
557 school level resource utilization, or school level achievement, including the areas of
558 reading and mathematics proficiencies;

559 (4) Whether the school is located in a local school system in which one-half or more of
560 the schools are on the turnaround eligible schools list for the fifth or more consecutive
561 year;

562 (5) Whether the school is in close proximity to a school that will be served pursuant to
563 paragraphs (1), (2), (3), or (4) of this subsection; and

564 (6) Any other factors deemed appropriate by the Chief Turnaround Officer.

565 (c) The Chief Turnaround Officer shall extend an opportunity to the local boards of
566 education for each school identified pursuant to subsection (b) of this Code section to
567 amend the contract entered into pursuant to Code Section 20-2-83 for strategic waivers
568 school systems or to amend the charter, for charter systems. The amendment shall be for
569 the purposes of agreeing to receive assistance pursuant to this part for such identified
570 school or schools. For any such local board of education that is offered the opportunity to
571 amend its system contract or charter but that does not sign an amendment within 60 days
572 of being offered the amendment or that declines to sign an amendment, the State Board of
573 Education shall within 60 days either implement one or more of the interventions contained
574 in paragraph (6) of subsection (a) of Code Section 20-14-41 for such school or terminate
575 the system contract or charter as allowed by the terms of such contract or charter.

576 (d) For any local school system that is not a charter system or a strategic waivers school
577 system, the Chief Turnaround Officer shall extend an opportunity to the local board of
578 education for each school identified pursuant to subsection (b) of this Code section to enter
579 into an intervention contract for the purposes of agreeing to receive assistance pursuant to
580 Code Section 20-14-46 for such identified school or schools. For any such local board of
581 education that is offered the opportunity to enter into an intervention contract but that
582 declines, the State Board of Education shall immediately implement one or more of the
583 interventions contained in paragraph (6) of subsection (a) of Code Section 20-14-41 for
584 such school.

585 (e) For any school on the turnaround eligible school list which is not selected as part of the
586 subset of schools to be assisted by the Chief Turnaround Officer due to insufficient
587 capacity and resources, the Department of ~~Education~~, through its Education's school
588 improvement division, shall begin or continue focused supports and a pre-diagnostic
589 review utilizing all relevant data held at the state level as it relates to the local school

590 system and school, including financial audits, funding allotments, federal funds, state
591 assessment data, and the most recent local school system accreditation report regarding
592 system level governance and leadership, resource utilization, teaching and learning
593 effectiveness, and academic achievement."

594 **SECTION 2-7.**

595 Said title is further amended in Code Section 20-14-46, relating to on-site diagnostic review
596 by third-party specialist and development of intensive school improvement plan, by revising
597 subsection (d) as follows:

598 "(d) Based on the evaluation and recommendations and after public input from parents and
599 the community, the school shall develop an intensive school improvement plan, approved
600 by the Chief Turnaround Officer, that specifically addresses the academic insufficiencies
601 identified by the school's rating in the single state-wide accountability system. The local
602 board of education shall not be eligible for supplemental funding to support the
603 implementation of the plan unless such local board demonstrates financial need based on
604 its most current annual budget and the results of the most recent audit. The local board of
605 education shall coordinate the hiring and contract renewal process for personnel and the
606 allocation of school resources to support such plan. In developing the timelines in the
607 intensive school improvement plan, the school shall take into consideration the budget
608 cycles, employment contract deadlines, and other appropriate factors relating to the
609 planning process. The school, with the support of the local board of education, local school
610 superintendent, and principal, shall implement the plan with ongoing input and assistance
611 from the Chief Turnaround Officer and performance monitoring by the ~~turnaround coach~~
612 Department of Education's school improvement division."

613 **SECTION 2-8.**

614 Said title is further amended by revising Code Section 20-14-48, relating to individual
615 assessments of low performing students in turnaround eligible schools, as follows:

616 "20-14-48.

617 (a) ~~The State Board of Education~~ State School Superintendent shall ensure that all
618 necessary department resources and supports are made available for full implementation
619 of this part, including, but not limited to, the implementation of the intensive school
620 improvement plans established pursuant to Code Section 20-14-46 for schools for which
621 a local board of education has entered into a contract amendment or intervention contract
622 with the State Board of Education pursuant to Code Section 20-14-45. Further, the ~~State~~
623 ~~Board of Education~~ State School Superintendent shall ensure that such schools receive
624 priority for the receipt of federal and state funds available to the Department of Education

625 to the fullest extent possible under federal and state law, including, but not limited to,
626 federal school improvement grants and Title I funds. The ~~State Board of Education~~ State
627 School Superintendent shall also pursue maximum flexibility in applying for and
628 expending federal funds, including, but not limited to, the consolidation of all federal, state,
629 and local funds in compliance with federal law.

630 (b) ~~The Office of Student Achievement shall give priority to schools for which a local~~
631 ~~board of education has entered into a contract amendment or intervention contract with the~~
632 ~~State Board of Education pursuant to Code Section 20-14-45 when awarding grants~~
633 ~~pursuant to subsection (b.1) of Code Section 20-14-26.1 or any other grants administered~~
634 ~~by the office.~~

635 (c)(1) ~~The Office of Student Achievement shall be authorized to provide for grants,~~
636 ~~subject to appropriations, to assist schools in local school systems under a contract~~
637 ~~amendment or intervention contract pursuant to Code Section 20-14-45 with~~
638 ~~demonstrated financial need in:~~

- 639 (A) ~~Retaining the services of a third-party specialist to assist in the implementation of~~
640 ~~an intensive school improvement plan developed pursuant to Code Section 20-14-46~~
641 ~~or to provide any other support services deemed necessary pursuant to such plan;~~
- 642 (B) ~~Assessing low-performing students and obtaining specified supports for such~~
643 ~~students as delineated in subsection (a) of Code Section 20-14-47; or~~
- 644 (C) ~~Both subparagraph (A) and subparagraph (B) of this paragraph.~~

645 (2) ~~A school under a contract amendment or intervention contract pursuant to Code~~
646 ~~Section 20-14-45 with a demonstrated financial need may, upon consultation with the~~
647 ~~turnaround coach for the school, request grant funds pursuant to this subsection. Upon~~
648 ~~approval by the Chief Turnaround Officer, the grant request may be submitted to the~~
649 ~~Office of Student Achievement. The award of any grant funds shall be at the discretion~~
650 ~~of the Office of Student Achievement, including the amount of any such grant funds~~
651 ~~awarded. The Office of Student Achievement shall prescribe criteria, policies, and~~
652 ~~standards deemed necessary for the effective implementation of this subsection, including~~
653 ~~criteria for a local school system to demonstrate financial need."~~

654 SECTION 2-9.

655 Said title is further amended by revising Code Section 20-14-49, relating to failure to
656 progress after implementation of intensive school improvement plan and interventions, as
657 follows:

658 "20-14-49.

659 (a) If after three school years of implementing the intensive school improvement plan
660 developed pursuant to Code Section 20-14-46, the school is not improving, as determined

661 by the Chief Turnaround Officer based on the terms of the amended contract, amended
662 charter, or the intervention contract and on other applicable factors, the Chief Turnaround
663 Officer shall require that one or more of the following interventions be implemented at the
664 school, unless the school is in substantial compliance with the implementation of the
665 intensive school improvement plan and has exhibited ongoing cooperation and
666 collaboration:

- 667 (1) Continued implementation of the intensive school improvement plan developed
668 pursuant to Code Section 20-14-46;
- 669 (2) Removal of school personnel, which may include the principal and personnel whose
670 performance has been determined to be insufficient to produce student achievement
671 gains;
- 672 (3) Implementation of a state charter school or a special school, as defined in Code
673 Section 20-2-2062;
- 674 (4) Complete reconstitution of the school, removing all personnel, appointing a new
675 principal, and hiring all new staff. Existing staff may reapply for employment at the
676 newly reconstituted school but shall not be rehired if their performance regarding student
677 achievement has been negative for the past four years;
- 678 (5) Operation of the school by a private nonprofit third-party operator selected and
679 contracted by the local board of education;
- 680 (6) Mandatory parental option to relocate the student to another public school in the local
681 school system that does not have an unacceptable rating, to be chosen by the parents of
682 the student from a list of available options provided by the local school system. The local
683 school system shall provide transportation for students in Title I schools in accordance
684 with the requirements of federal law. The local school system may provide transportation
685 for students in non-Title I schools. In any year in which the General Assembly does not
686 appropriate funds for the provision of transportation to non-Title I students, the parent or
687 guardian shall assume responsibility for the transportation of that student;
- 688 (7) Complete restructuring of the school's governance arrangement and internal
689 organization of the school;
- 690 (8) Operation of the school by a successful school system and pursuant to funding
691 criteria established by the State Board of Education; or
- 692 (9) Any other interventions or requirements deemed appropriate by the Chief Turnaround
693 Officer and the State Board of Education for the school and in accordance with the
694 amended contract, amended charter, or intervention contract, except that operation of the
695 school by a for profit entity shall be prohibited.

696 (b) Before the implementation of any interventions required by the Chief Turnaround
697 Officer pursuant to subsection (a) of this Code section for a school, the local board of

698 education may request an opportunity for a hearing before the State Board of Education to
699 show cause as to why an intervention or interventions imposed by the Chief Turnaround
700 Officer for a school should not be required or that alternative interventions would be more
701 appropriate. Such request shall be made no later than 30 days after notification by the
702 Chief Turnaround Officer of the intended interventions. The State Board of Education
703 shall take into consideration the substantial compliance of the school in the implementation
704 of the intensive school improvement plan and the ongoing cooperation and collaboration
705 exhibited by the school. The State Board of Education shall make a determination on any
706 such request no later than 60 days after receipt of such request. The determination of the
707 State Board of Education, with input from the State School Superintendent, shall be the
708 final decision."

709 **SECTION 2-10.**

710 Said title is further amended by revising Code Section 20-14-49.1, relating to the Education
711 Turnaround Advisory Council creation, composition, administration, and role, as follows:
712 "20-14-49.1.

713 (a) There is created the Education Turnaround Advisory Council which shall report to the
714 ~~State Board of Education~~ State School Superintendent. The Education Turnaround
715 Advisory Council shall be composed of:

716 (1) The executive director of the Georgia School Boards Association or his or her
717 designee;

718 (2) The executive director of the Georgia School Superintendents Association or his or
719 her designee;

720 (3) The executive director of the Professional Association of Georgia Educators or his
721 or her designee;

722 (4) The executive director of the Georgia Association of Educators or his or her
723 designee;

724 (5) The executive director of the Georgia Association of Educational Leaders or his or
725 her designee;

726 (6) The president of the Georgia Parent Teacher Association;

727 (7) The executive director of Educators First or his or her designee; and

728 (8) Education leaders representing local school superintendents, local boards of
729 education, teachers, business leaders, or other appropriate individuals with interest in
730 public education appointed as follows:

731 (A) Two education leaders appointed by the Lieutenant Governor; and

732 (B) Two education leaders appointed by the Speaker of the House of Representatives.

733 (b) The ~~chairperson of the State Board of Education~~ State School Superintendent shall
734 cause the council to be convened no later than 30 days after the last appointment is made
735 to the council. The council shall select a chairperson from among its membership.
736 (c) The Education Turnaround Advisory Council shall be authorized to:
737 (1) Submit to the ~~State Board of Education~~ Governor's office names of potential
738 candidates for the position of Chief Turnaround Officer and for turnaround coaches;
739 (2) Recommend school turnaround resources and potential turnaround experts to be
740 added to resource lists;
741 (3) Provide advisement on the development of state-wide assessment tools;
742 (4) Provide advisement to the State School Superintendent and Chief Turnaround
743 Officer, as necessary;
744 (5) Provide recommendations and input on the request for proposals process conducted
745 pursuant to paragraph (3) of subsection (c) of Code Section 20-14-43 to establish a list
746 of approved third-party specialists that may be retained to assist in the evaluation of
747 schools; and
748 (6) Perform such other duties as assigned by the ~~State Board of Education~~ State School
749 Superintendent.
750 (d) The Education Turnaround Advisory Council shall have no authority and shall only be
751 advisory in nature."

752 SECTION 2-11.

753 Said title is further amended by adding a new Code section to read as follows:
754 "20-14-49.3.
755 (a) The State School Superintendent shall conduct a pilot program to provide stipends for
756 turnaround instructional innovation specialists. The intent of the pilot program shall be to
757 recruit, select, hire, develop, and retain highly effective teacher leaders to work in
758 turnaround schools. Such pilot program shall be conducted for five school years, beginning
759 with school year 2019-2020. The State School Superintendent shall select turnaround
760 schools that are under a contract amendment or intervention contract pursuant to Code
761 Section 20-14-45 to participate in the pilot program.
762 (b) Turnaround instructional innovation specialists in the pilot program shall be eligible
763 to receive a stipend funded by a 2:1 state/local partnership of \$5,000.00 state funds and
764 \$2,500.00 local funds. Stipends shall be subject to final approval by the State Board of
765 Education and contingent on participation by the local board of education. In order to
766 qualify for such stipend, a turnaround instructional innovation specialist shall:
767 (1) Agree to teach in a turnaround school for at least three consecutive years; and

768 (2) Agree to such other criteria and scope of work expectations in accordance with
769 subsection (c) of this Code section.

770 (c) The criteria and scope of work expectations for turnaround instructional innovation
771 specialists shall be developed by the State School Superintendent, with input from the
772 Chief Turnaround Officer, the Georgia Professional Standards Commission, the
773 Department of Education's Teacher and Leader Support and Development Division, the
774 Georgia Association of Colleges for Teacher Education, and representatives of local school
775 systems that are under a contract amendment or intervention contract pursuant to Code
776 Section 20-14-45. Such criteria and scope of work expectations may include, but are not
777 limited to:

778 (1) Teaching a full class schedule or an alternate model that maximizes the teacher's
779 impact on a broader number of students and other teachers, such as a blended learning
780 format;

781 (2) Attending scheduled professional learning courses to strengthen his or her
782 instructional and leadership capacity;

783 (3) Fostering a collaborative culture to support educator development and student
784 learning;

785 (4) Accessing and using research to improve practice and student learning;

786 (5) Promoting professional learning for continuous improvement;

787 (6) Facilitating improvements in instruction and student learning;

788 (7) Promoting the use of assessments and data for school and district improvement; and

789 (8) Advocating for student learning and the teaching profession.

790 (d) A turnaround instructional innovation specialist may continue to receive a stipend
791 pursuant to subsection (b) of this Code section if he or she meets the expectations of his or
792 her job, which may be measured by such factors, including, but not limited to:

793 (1) The rating on his or her annual summative performance evaluation conducted
794 pursuant to Code Section 20-2-210;

795 (2) The school's progress on components of its College and Career Ready Performance
796 Index (CCRPI) rating and performance on Beating the Odds analysis;

797 (3) Survey feedback from other teachers impacted by such turnaround instructional
798 innovation specialist;

799 (4) The recommendation of the local school system based on the scope of work specific
800 to such turnaround instructional innovation specialist's assignment; and

801 (5) The recommendation of the Chief Turnaround Officer.

802 (e) After receiving a stipend for three consecutive years, a turnaround instructional
803 innovation specialist shall be eligible for conversion from the stipend to a permanent salary
804 step increase on the state salary schedule, subject to recommendation by the Chief

805 Turnaround Officer and approval by the State School Superintendent, and shall be eligible
806 for consideration, at the sole discretion of the local board of education, for continuation of
807 receipt of the local portion of the stipend of \$2,500.00.

808 (f) The State School Superintendent shall provide a final report on the pilot program
809 established pursuant to this Code section to the General Assembly no later than
810 December 1, 2024. Such report shall include a recommendation as to whether or not to
811 implement the program on a state-wide basis, and if so, any recommended changes to the
812 design of such program.

813 (g) This Code section shall be subject to appropriations by the General Assembly."

PART III

SECTION 3-1.

816 Said title is further amended by revising Code Section 20-2-989.7, relating to matters not
817 subject to complaint, as follows:

818 "20-2-989.7.

819 (a)(1) Except as otherwise provided in paragraph (2) of this subsection, the The
820 performance ratings contained in personnel evaluations conducted pursuant to Code
821 Section 20-2-210, professional development plans, and job performance shall not be
822 subject to complaint under the provisions of this part; provided, however, that this shall
823 not apply to procedural deficiencies on the part of the local school system or charter
824 school in conducting an evaluation pursuant to Code Section 20-2-210.

825 (2) For teachers who have accepted a school year contract for the fourth or subsequent
826 consecutive school year, performance ratings of 'Unsatisfactory,' 'Ineffective,' or 'Needs
827 Development' contained in personnel evaluations conducted pursuant to Code Section
828 20-2-210, procedural deficiencies on the part of the local school system or charter school
829 in conducting an evaluation pursuant to Code Section 20-2-210, and job performance
830 shall be subject to appeal pursuant to this paragraph. Local units of administration shall
831 establish an appeals policy that shall allow a teacher to appeal a performance rating of
832 'Unsatisfactory,' 'Ineffective,' or 'Needs Development.' Such appeals policy shall include
833 a method and reasonable timelines for filing an appeal that minimize the burden on both
834 parties, a statement that a teacher shall not be the subject of any reprisal as a result of
835 filing an appeal pursuant to this paragraph, a provision that an appeal hearing may be
836 conducted by an independent third party or by an administrator in the system office on
837 behalf of the school official or local unit of administration, and a method to receive the
838 decision of the independent third party or system administrator. Should any reprisal
839 occur, the teacher may refer the matter to the Professional Standards Commission. Each

local unit of administration shall submit a copy of its appeals policy established pursuant to this paragraph to the Department of Education no later than September 1, 2019, and any time thereafter if material changes are made to such policy.

(3) The termination, nonrenewal, demotion, suspension, or reprimand of any employee, as set forth in Code Section 20-2-940, and the revocation, suspension, or denial of certificates of any employee, as set forth in Code Section 20-2-984.5, shall not be subject to complaint under the provisions of this part.

(b) A certified employee who chooses to appeal under Code Section 20-2-1160 shall be barred from pursuing the same complaint under this part."

PART IV

SECTION 4-1.

851 All laws and parts of laws in conflict with this Act are repealed.